

Customer No. 24498
Attorney Docket No. PA030006
Office Action Date: May 13, 2008

REMARKS

Reconsideration of this application as amended is respectfully requested. Claims 1, 3, 5 and 6 have been amended; claims 2 and 4 have been previously canceled. As a result, claims 1, 3, 5 and 6 are in this application and are presented for the Examiner's consideration in view of the following comments.

Claims 1, 3, 5 and 6 have been rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,966,496 issued October 12, 1999 to Takimoto (*Takimoto*). Applicants have amended independent claims 1, 3 and 5. Applicants have also amended claim 6 to comport with the changes to claim 5.

The claims have been amended to more specifically define the recording as a "recording of a program" — thus, clearly differentiating a track as described in *Takimoto* from an entire recording of a program as required by Applicants' claims.

As correctly recited by the Examiner in the Office Action, *Takimoto* describes that "when a different format is inputted to the recorder it will be processed and the CPU will alert the recorder and the subcode generating circuit which format it needs to be recording in. Otherwise when a new format is not detected the recorder will continue recording the tracks with the same subcode it was previously using".

Takimoto continues the recording if a new format is not detected as stated by the Examiner. But in the technical teaching of *Takimoto*, the recording is also continued even if a new format is detected and the subcode generating circuit defines a new subcode according to the new format which is inputted into the recorder.

Therefore, the solution described by *Takimoto* leads to the recording as depicted in Figure One below, if the format of the video standard is changed from a first format (1) to a second format (2). For simplicity, the picture shown in Figure One depicts four video frames, each frame containing three tracks. The first two video frames are recorded in a first video format, which is shown by using a "1" in the subcode field. The last two video frames are recorded in a second video format, which is shown by using a "2" in the subcode field. All tracks are recorded in the same recording of a program.

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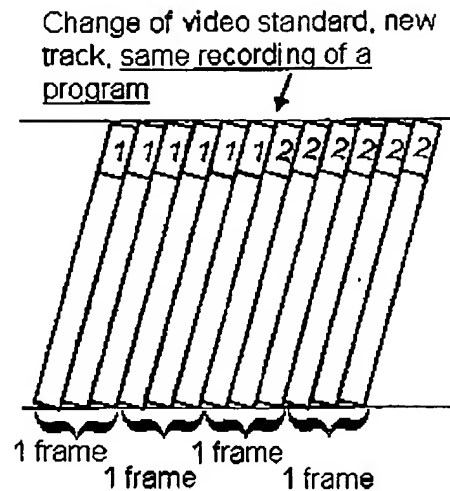


Figure One

In contrast, according to Applicants' claimed invention, when the detecting means detects a change in the video format, the recording means automatically finalizes a current recording of a program, and starts a new recording of a program. This is shown in Figure Two, below. In the picture of Figure Two, a first recording of a program is present containing the first two frames recorded in the first video format. However, upon detection of the change in the video format, the second two frames recorded in the second video format are contained in a second (separate) recording of a program. As a result, each recording of a program contains only tracks and frames having the same video format, as depicted in the picture of Figure Two. This is not the case in *Takimoto*.

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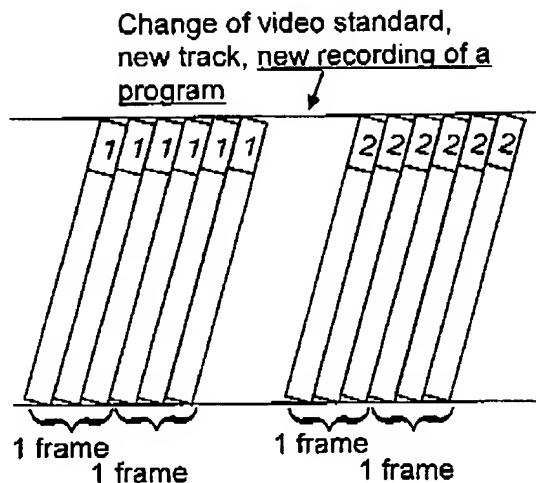


Figure Two

Applicants claimed invention has the advantage that one recording of a program always contains the same video format, which makes it easier to play back the recording. Therefore, Applicants respectfully submit that claim 1 as amended is new and not obvious over *Takimoto*. The same arguments apply to independent claims 3 and 5.

In view of the above, Applicants respectfully submit that claim 1 is patentable over *Takimoto*. Similar arguments apply to Applicants' independent claims 3 and 5.


Therefore, Applicants respectfully submit that Applicants' independent claims 1, 3 and 5 are not anticipated by *Takimoto*. As such, dependent claim 6 is also in condition for allowance.

As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

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